

004 Rec'd PCT/PTO 14 JUL 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Youssefi, et al.
 Application No. : 10/519,368
 Filed : December 23, 2004
 Title : Myopic Correction Enhancing Biodynamic Ablation
 Conf. No. : 4779
 Docket No. : P03149

JUL 14 2005

CERTIFICATE OF MAILING BY TELEFACSIMILE No. of pages: 6

I hereby certify that this correspondence is being sent by telefacsimile to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, at telephone number 703 746 4060, on July 14, 2005.

Suzanne V. Russo
Suzanne V. RussoRESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop Missing Parts
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

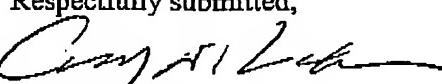
This communication is filed in response to the Notification of Missing Requirements dated June 30, 2005, in the above-identified application.

Enclosed is a Declaration and Power of Attorney signed by the named inventor(s). No declaration or oath was filed with this application. This document completes the filing requirements for the above-entitled application.

Please charge \$630.00 (\$130.00 for the late filing of the Declaration and \$500.00 to cover additional claims) to Applicant's Deposit Account No. 02-1425. Please charge any additional fees or credit overpayment to Deposit Account No. 02-1425.

Respectfully submitted,

07/21/2005 GFREY1 00000097 021425 10519368

01 FC:1617 130.00 DA
02 FC:1615 500.00 DA

 Craig E. Larson
 Attorney for Applicant
 Registration No. 27,917

Bausch & Lomb Incorporated
 One Bausch & Lomb Place
 Rochester, New York 14604
 Telephone: 585 338 5528
 Dated: July 14, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 703-285-2000

WFG

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,368	Gerhard Youssfi	P03149
INTERNATIONAL APPLICATION NO.		
PCT/EP03/06778		
23702 Bausch & Lomb Incorporated One Bausch & Lomb Place Rochester, NY 14604-2701	I.A. FILING DATE	PRIORITY DATE
	06/26/2003	06/27/2002
CONFIRMATION NO. 4779		
371 FORMALITIES LETTER		
 OC000000016415509		

Date Mailed: 06/30/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2004
- Copy of the International Search Report filed on 12/23/2004
- Copy of IPE Report filed on 12/23/2004
- Information Disclosure Statements filed on 02/07/2005
- Oath or Declaration filed on 12/23/2004
- Request for Immediate Examination filed on 12/23/2004
- U.S. Basic National Fees filed on 12/23/2004
- Priority Documents filed on 12/23/2004

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$500 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

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SUMMARY OF FEES DUE:

Total additional fees required for this application is \$630 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 500
 - \$500 for 10 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,368	PCT/EPO3/06778	P03149

FORM PCT/DO/EO/905 (371 Formalities Notice)